



# COMMONWEALTH of VIRGINIA

## *Department of General Services*

Division of Engineering and Buildings

**Agreement  
between the  
Commonwealth of Virginia  
Department of General Services  
Division of Engineering and Buildings  
and the  
Institute for Building Technology and Safety**

1100 Bank Street  
Suite 506  
Richmond, Virginia 23219  
(804) 786-3263  
Voice/TDD (804) 786-6152  
FAX (804) 371-7934

( Original Agreement dated April 1, 2005, Amended on June 28, 2007 and July 30, 2011 )

This agreement ("Agreement") is by and between the Commonwealth of Virginia, Department of General Services, Division of Engineering and Buildings, hereinafter called **DEB** and the Institute for Building Technology and Safety, hereinafter called **IBTS**, non-profit government-controlled 501(c)(3) public service entity. A five member Board of Directors of IBTS are appointed, one each by the National Governor's Association (NGA) Center for Best Practices, the Council of State Governments (CSG), the National Association of Counties (NACo), the National League of Cities (NLC) and the International City/County Management Association (ICMA). IBTS lessens the burdens of government agencies at the Federal, state, county and city levels and to enhance regulatory efficiency by providing a government based, non-profit corporation with qualified professional staff who, under grants, Agreements, cooperative agreements and contracts can provide state agencies with technical, ADP and administrative services which support building code, public safety needs and other services . The Board of Directors of the IBTS is appointed by the five governmental associations listed above and present their interests in directing the activities of IBTS.

### **Communications and Address of Parties**

The primary address for the DEB and for IBTS, their respective contact persons and the address for delivery of Notices and other project documents are as follows:

Division of Engineering and Buildings (DEB)  
Robert B. Jones  
1100 Bank Street, Suite 506  
Richmond, VA 23219

Phone: (804) 786-3263  
Fax: (804) 371-7934  
Email: [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov)  
[bert.jones@dgs.virginia.gov](mailto:bert.jones@dgs.virginia.gov)

Institute for Building Technology and Safety (IBTS)  
Ashok K. Goswami, or Shyam Choudhary  
505 Huntmar Park Drive, Suite 250  
Herndon, VA 20170

Phone: (703) 481-2001  
Fax: (703) 437-6432  
Email: [agoswami@ibts.org](mailto:agoswami@ibts.org)  
[schoudhary@ibts.org](mailto:schoudhary@ibts.org)

The above names, addresses, telephone and FAX numbers and email addresses may be changed by Amendment of this Agreement. Names, mail and email address, telephone and FAX numbers and other "task" pertinent information will be on the individual "task" or "project" orders.

### **General Provisions**

IBTS has been found by the Commonwealth of Virginia to be a governmental source of the building code plan review, inspection and other services to be provided under the terms of this Agreement: therefore the professional services described in this Agreement have been procured on the basis of technical qualification only. This Amended Agreement shall end on June 30, 2014. This compensation to be paid to IBTS by DEB to perform the tasks is set out in this Agreement under the Section titled "Compensation".

### **Scope of Work**

#### **Agreement Task: Plan Review and Inspection Services**

IBTS shall provide to the DEB, represented by its Bureau of Capital Outlay Management (BCOM), plan review and inspections services on an "as requested" basis. IBTS will be notified by facsimile or email that the BCOM has a need to issue a project order under this agreement for plan review and/or inspection services. The BCOM will send IBTS the plans and specifications via Express Mail, UPS or Federal Express. Documentation of errors, deficiencies, discrepancies and conflicts noted during the review and/or inspection shall be in written form in a format provided by DEB. Comments generated by the IBTS review and inspection shall be transmitted to the BCOM by email to [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov) or by facsimile to 804-225-4709. (may need a revision if email or fax number changes)

Plan review turnaround time shall be:

New construction, renovation, and alteration with an estimated construction value calculated in accord with the Permit Fee Schedule of the International Code Council (gross area x square foot construction cost) of less than \$250,000:

10 calendar days

New construction, renovation and alteration with review fee value calculated in accordance the Permit Fee Schedule of the International Code Council (gross area x square foot construction cost) of greater than \$250,000:

14 calendar days

Inspection response time shall be within forty-eight (48) hours of receipt of request to inspect. Inspection reports shall be submitted within five (5) calendar days of the site visit.

Plan review shall generally include the following systems:

Building - architectural, structural, life safety, fire safety and accessibility  
Civil – sitework and utilities  
Mechanical including energy  
Plumbing including site services lines

Electrical including site lighting and service interface  
Sprinkler systems

Inspection services will include building, civil, mechanical, plumbing and electrical. All IBTS plans and specifications review comments and inspection reports shall be faxed or emailed to the BCOM.

Plan reviews and inspections will be conducted in accord with the Virginia Uniform Statewide Building Code (VUSBC) current edition, 2010 ADA Standards for Accessible Design (September 15, 2010), Chapter 7 of the current edition of the *Commonwealth of Virginia Construction and Professional Services Manual* and the guidelines developed by DEB. Upon adoption of the new edition of the VUSBC, BCOM will advise IBTS of the applicable version of the VUSBC to be used on the individual project reviews. Specific operating procedures to be used by DEB and IBTS in the execution of the terms and conditions of the Agreement are described in a separate Memorandum of Understanding, included as Attachment A to this Agreement.

### **Compensation**

IBTS shall be compensated for the costs of the services rendered and accepted under this Agreement upon submittal of a monthly invoice to DEB. Invoices under this Agreement shall be submitted on the 15<sup>th</sup> day of each month via e-mail to [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov). Any payments hereunder will be made on determination by the DEB that the terms and conditions of this Agreement are being met.

### **Plan Review and Inspection Service Fees**

#### *Plan Review Fees*

Plan review for new construction, renovation, and alteration will be in accordance with the Plan Review Fee Schedule of the International Code Council in effect at the start of each assigned project.

IBTS and DEB may decide to use hourly rates for the plan reviews and inspection services instead of the fee schedule published by the International Code Council. If hourly rates are used, DEB agrees to pay to IBTS at a rate not to exceed the JLARC-approved rate approved for plan review services provided by the professional staff of DEB's Bureau of Capital Outlay Management that is in effect at the time services are rendered. The hourly rate shall be applied only to the direct professional hours estimated for the review. Indirect labor cost, overhead costs, and mark-ups shall be included within the hourly rate. (The JLARC-approved rate in effect as of July 30, 2011 is \$119.00 per hour.)

#### *Inspection Fees*

The fee for time at the site shall be \$90.00 per hour for qualified inspectors. Travel costs shall be included within the overhead portion of the hourly rate.

The rate for related services by IBTS's Professional Engineers, Registered Architects, or the equivalent, shall not exceed the JLARC-approved rate approved for similar services provided by the professional staff of DEB's Bureau of Capital Outlay Management that is in effect at the time

services are rendered. The hourly rate shall be applied only to the direct professional hours estimated for these inspection-related services. Indirect labor cost, overhead costs, and mark-ups shall be included within the hourly rate. (The JLARC-approved rate in effect as of July 30, 2011 is \$119.00 per hour.)

IBTS and DEB may negotiate a fee on any individual item or work on a lump sum basis.

Existing Project Orders shall be completed at the rates agreed upon at the time the Project Orders were issued.

The total fees and charges shall be reflective of the above rates or as otherwise authorized in advance in writing by DEB.

#### **Other services**

From time to time, DEB may need IBTS's services in a capacity other than plan reviews and inspections. These services may include, but are not limited to: facilities program management, commissioning, space planning, fire safety, expert testimony, quality control, monitoring, program management and regulatory oversight. IBTS may also provide management support – such as an analysis of organizational structure, and recommendation of improvements in efficiency and/or effectiveness.

The fee for these services will be negotiated on a case-by-case basis, which, depending upon the nature of the work, may be negotiated as hourly rates for different levels of services, or on a lump sum basis.

#### **Applicability**

This contract may be used by other governmental agencies, with appropriate modifications. DEB will not be responsible for administration, payment, supervision or acceptance of the work completed by IBTS for other governmental agencies.

### Termination

Termination for default or convenience may be initiated by either party by giving at least thirty days written notice. If the agreement is terminated by IBTS, IBTS shall be paid for the services provided up to the termination date. All work, including finished and unfinished documents, reports, data, electronic information, and materials provided by IBTS under this agreement shall become the property of the Commonwealth of Virginia.

### Assignments

Neither party to the agreement shall assign the agreement in whole or in any part without the written consent of the other. Consent to assignment shall not be unreasonably withheld. No assignments shall relieve any party from its obligations under the agreement.

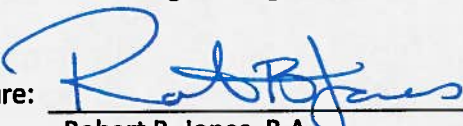
### Terms and Conditions

IBTS agrees that in all matters relation to this Agreement, it shall assume and pay all liabilities and perform all obligations imposed with respect to the performance of this agreement. IBTS shall have no right, power, or authority to create any obligations, expressed or implied, on behalf of the DEB and shall have no authority to represent DEB as an agent. The DEB shall have no right, power, or authority to represent IBTS as an agent.

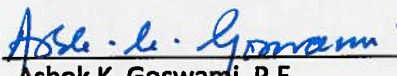
### Amendments

This agreement and the attached Memorandum of Understanding may be amended by a letter signed by the authorized representatives of the DEB and IBTS. In witness hereof the duly authorized representatives of the DEB and IBTS have executed this agreement on the dates shown:

For the Division of Engineering and Buildings:

Signature:   
Name: Robert B. Jones, R.A.  
Title: Director  
Date: 9/21/11

For the Institute of Building Technology and Safety:

Signature:   
Name: Ashok K. Goswami, P.E.  
Title: Chief Executive Officer  
Date: 9/23/11

Attachment A: Memorandum of Understanding

Attachment B: DEB/BCOM Staff Roster with telephone numbers and email addresses.

**PROJECT ORDER NUMBER: \_\_\_\_**  
**UNDER DEB/IBTS AGREEMENT FOR**  
**PROFESSIONAL SERVICES**

**Date:**

**DEB/BCOM Lead Reviewer**

**PO Number:**

**Project Title:**

**Building:**

**Project Code:**

This Project Order Number \_\_\_\_\_ is issued pursuant to the DEB/IBTS Agreement dated April 1, 2005 (as amended June 28, 2007 and July 30, 2011), inclusive of pages 1 through 5, and the Memorandum of Understanding dated April 1, 2005 (as amended June 28, 2007 and July 30, 2011), inclusive of pages 7 through 10, which are incorporated herein by reference.

**APPLICABLE REFERENCES:**

**SCOPE OF WORK OR SPECIAL INSTRUCTIONS:**

The scope of work or special instructions for the work under this project order is generally described as:

**FEE:**

**AGREED TO ON THE DATE INDICATED ABOVE BY:**

**For the Division of Engineering and Buildings:**

**For the Institute of Building Technology and Safety:**

**Signature:** \_\_\_\_\_

**Name:** Robert B. Jones, R.A.

**Title:** Director

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Name:** Ashok K. Goswami, P.E.

**Title:** Chief Executive Officer

**Date:** \_\_\_\_\_

## **ATTACHMENT A**

**MEMORANDUM OF UNDERSTANDING**  
between the  
**Commonwealth of Virginia**  
**Department of General Services**  
**Division of Engineering and Buildings**  
and the  
**Institute for Building Technology and Safety**

**PROJECT:** Plan Review and Inspection Services

**DATE OF MOU:** April 1, 2005 (Amended June 28, 2007 and July 30, 2011)

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### **ABBREVIATIONS:**

<b>IBTS:</b>	Institute for Building Technology and Safety
<b>DEB:</b>	Division of Engineering and Buildings
<b>BCOM:</b>	Bureau of Capital Outlay Management
<b>VUSBC:</b>	Virginia Uniform Statewide Building Code
<b>CPSM:</b>	Construction and Professional Services Manual, current edition, including revisions and applicable DEB Notices
<b>PC#</b>	Project Code# assigned to the particular project
<b>ASAD:</b>	2010 ADA Standards for Accessible Design (September 15, 2010)

IBTS and DEB agree to the following general procedures for services as set forth below for the above identified project:

#### **1. TASKS/PROJECT ORDERS:**

DEB will notify IBTS by facsimile or email that the BCOM has a need to issue a Project Order under this agreement for plan review and/or inspection services. The notice will include a brief description of the project, the project code#, and the anticipated date of shipment of the documents to IBTS. DEB/BCOM will provide IBTS with electronic copies of the forms/formats to be used for documenting the errors, deficiencies, discrepancies and conflicts noted during the review and/or inspection.

The unique 8 or 11 digit project code #(project identifier) shall be used on all Project Orders, review comments, inspection reports, invoices for services and all other correspondence related to that project.

The BCOM will send IBTS the plans and specifications via express mail, UPS, or Federal Express. For reviews involving all disciplines, BCOM will send 4 copies of the plans and specifications to IBTS. Plans may be full size sheets or half size reductions or a combination thereof.

## **2. CODES AND STANDARDS FOR REVIEWS**

IBTS Reviewers will review the plans and specifications for conformance with the requirements of the following (or as amended by DEB for a specific project):

Virginia Uniform Statewide Building Code (VUSBC), 2009 edition, effective March 1, 2011

Note: For state buildings, delete VUSBC Chapter 11 (Accessibility) in its entirety and replace with 2010 ADA Standards for Accessible Design (September 15, 2010)

Chapter 7 (Technical Standards for Buildings on State Property) of the Commonwealth of Virginia Construction and Professional Services Manual (CPSM), current edition, including revisions and applicable DEB Notices

Other requirements as may be noted on the particular task or Project Order.

## **3. CLARIFICATIONS**

The Director of the Division of Engineering and Buildings is the Building Official for all building and related construction on state property. The BCOM acts as the technical staff of the Building Official and provides reviews of the plans specifications. As such, the BCOM staff is tasked with making uniform and consistent applications of the requirements of the codes and standards to the reviews of all plans and specifications.

BCOM staff will meet with applicable IBTS staff prior to the first Project Order to present information on its application of the codes and standards and the applicable policies for review of state projects. A roster of BCOM Reviewers with telephone numbers and email addresses will be provided to IBTS to facilitate discussions between IBTS Reviewers and BCOM Reviewers on the detail applications of codes and standards on past or similar state projects.

Local ordinances, zoning and other such requirements do not apply to construction on state property.

State agencies often receive their utilities (water, sewer, etc.) and fire department service from the localities. Therefore, connections to water, sewer, etc. must meet the local requirements for connections to these utilities. Likewise, A/E's are required to verify and/or coordinate locations of fire department connections, post indicator valves, etc. with the local fire departments.

## **4. REVIEW COMMENTS**

IBTS Reviewers shall document errors, deficiencies, discrepancies and conflicts noted during the review in writing on the form/formant provided by BCOM.

Reports of inspections shall be in written form in a format provided by DEB.

Comments generated by the IBTS review shall be transmitted to the BCOM by email to [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov) (preferred) or by facsimile to (804) 225-4709.

## **5. INSPECTION REPORTS**

Qualified IBTS inspectors shall inspect the work to verify conformance with the requirements shown on the approved plans and specifications noted on the Building Permit and for conformance to applicable installation standards referenced by the codes or manufacturer's instructions where not otherwise specifically detailed on the plans or specifications.

Reports of inspections shall be in written form in a format provided by DEB.

Inspection reports shall be transmitted to the BCOM by email to [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov) (preferred) or by facsimile to (804) 225-4709.

## **6. INVOICE FOR SERVICES**

IBTS shall provide financial data to include FEIN and other required data to DEB as necessary to establish a vendor account number with DGS Fiscal Services.

IBTS shall submit separate invoices for each Task/Project Order. Each invoice shall bear the applicable task/project code identifier, and the other applicable invoicing codes provided with that project order. Invoices shall detail the method and calculations for determining the compensation due.

Invoices under this Agreement shall be submitted via e-mail to [capout@dgs.virginia.gov](mailto:capout@dgs.virginia.gov).

Any payments hereunder will be made upon determination by the DEB that the terms and conditions of this Agreement are being met.

## **7. SUPPLEMENTAL INSTRUCTIONS AND AMENDMENTS**

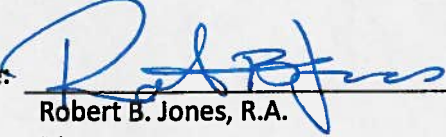
The Director of the Division of Engineering and Buildings is the Building Official for all building and related construction on state property. The reviews and inspections performed under this agreement are under the direction and authority of and are subject to the standards of the Building Official.

The VUSBC and the CPSM are subject to change as new editions or revisions are adopted. If either of these documents are changed, BCOM will note on the Project Order which version of the VUSBC or CPSM applies to that review. IBTS is responsible for obtaining and maintaining necessary copies of the VUSBC. BCOM will provide a current copy of the CPSM and any revisions to IBTS for the use. The CPSM and DEB Notices are also available in searchable pdf format on the BCOM website (<http://bcom.dgs.virginia.gov>).


These procedures may be changed by written amendment to this MOU. Changes or specific requirements or instructions which are applicable for a specific project will be noted on that specific Project Order.

**AGREED TO ON THE DATE INDICATED ABOVE BY:**

**For the Division of Engineering and Buildings:**

Signature:   
Name: Robert B. Jones, R.A.  
Title: Director  
Date: 9/25/11

**For the Institute of Building Technology and Safety:**

Signature:   
Name: Ashok K. Goswami, P.E.  
Title: Chief Executive Officer  
Date: 9/23/11

**ATTACHMENT B**  
**DEB/BCOM Staff Roster**

**Staff Directory**

<b><u>Name</u></b>	<b><u>Initials</u></b>	<b><u>Title</u></b>	<b><u>E-mail</u></b>	<b><u>Phone</u></b>
Billingham, Anne	AEB	Architectural Reviewer	<a href="mailto:Anne.Billingham@dgs.virginia.gov">Anne.Billingham@dgs.virginia.gov</a>	(804) 371-7553
Carmichael, Steve	WSC	Program Support Technician - Sr.	<a href="mailto:William.Carmichael@dgs.virginia.gov">William.Carmichael@dgs.virginia.gov</a>	(804)225-4528
Chapman, Michael	MAC	Mechanical/Plumbing Review Engineer	<a href="mailto:Michael.Chapman@dgs.virginia.gov">Michael.Chapman@dgs.virginia.gov</a>	(804) 371-7549
Christensen, Michael	MSC	Fire Safety Review Architect	<a href="mailto:Michael.Christensen@dgs.virginia.gov">Michael.Christensen@dgs.virginia.gov</a>	(804) 371-7546
Coppa, W. Michael	WMC	Director	<a href="mailto:Mike.Coppa@dgs.virginia.gov">Mike.Coppa@dgs.virginia.gov</a>	(804) 786-4398
Crodick, William	WJC	Fire Safety Review Engineer	<a href="mailto:WJ.Crodick@dgs.virginia.gov">WJ.Crodick@dgs.virginia.gov</a>	(804) 371-7551
Dreyer, Mark	MWD	Architectural Reviewer	<a href="mailto:Mark.Dreyer@dgs.virginia.gov">Mark.Dreyer@dgs.virginia.gov</a>	(804) 371-2570
Duerksen, Matthew	MSD	Architectural Reviewer	<a href="mailto:Matthew.Duerksen@dgs.virginia.gov">Matthew.Duerksen@dgs.virginia.gov</a>	(804) 371-2607
Frye, James	JHF	Civil/Structural Review Engineer	<a href="mailto:Jim.Frye@dgs.virginia.gov">Jim.Frye@dgs.virginia.gov</a>	(804) 371-7544
Gray, Michael	MHG	Project Cost Reviewer	<a href="mailto:Michael.Gray@dgs.virginia.gov">Michael.Gray@dgs.virginia.gov</a>	(804) 371-7545
Harcum, Les	LCH	Architectural / Fire Safety Group Manager	<a href="mailto:Les.Harcum@dgs.virginia.gov">Les.Harcum@dgs.virginia.gov</a>	(804) 786-4541
Hom, Mary	MHH	Architectural Reviewer	<a href="mailto:Mary.Hom@dgs.virginia.gov">Mary.Hom@dgs.virginia.gov</a>	(804) 786-4274
Hudnall, Brian	BLH	Program/Finance/Systems Group Mgr	<a href="mailto:Brian.Hudnall@dgs.virginia.gov">Brian.Hudnall@dgs.virginia.gov</a>	(804) 371-7543
Kirby, Fred	FSK	Civil/Structural Review Engineer	<a href="mailto:Fred.Kirby@dgs.virginia.gov">Fred.Kirby@dgs.virginia.gov</a>	(804) 371-8842
Matsko, Steven	SMM	Mechanical/Plumbing Review Engineer	<a href="mailto:Steven.Matsko@dgs.virginia.gov">Steven.Matsko@dgs.virginia.gov</a>	(804) 371-7548
McDonough, Patrick	PGM	Architectural Reviewer	<a href="mailto:Patrick.McDonough@dgs.virginia.gov">Patrick.McDonough@dgs.virginia.gov</a>	(804) 225-4400
Messer, Richard	RFM	Electrical Review Engineer	<a href="mailto:Richard.Messer@dgs.virginia.gov">Richard.Messer@dgs.virginia.gov</a>	(804) 343-9042
Raha, J. Christopher	JCR	Fire Safety Review Engineer	<a href="mailto:Christopher.Raha@dgs.virginia.gov">Christopher.Raha@dgs.virginia.gov</a>	(804) 786-4134
Sanders, Vernon	VCS	Mechanical/Plumbing Review Engineer	<a href="mailto:Charlie.Sanders@dgs.virginia.gov">Charlie.Sanders@dgs.virginia.gov</a>	(804) 786-4179
Semel, Ronald	RSS	Project Cost Reviewer	<a href="mailto:Ronald.Semel@dgs.virginia.gov">Ronald.Semel@dgs.virginia.gov</a>	(804) 371-4322
Smith, Carl	CRS	Engineering Group Mgr	<a href="mailto:Carl.Smith@dgs.virginia.gov">Carl.Smith@dgs.virginia.gov</a>	(804) 371-7550
Smith, Ralph	RWS	Program Manager	<a href="mailto:Ralph.Smith@dgs.virginia.gov">Ralph.Smith@dgs.virginia.gov</a>	(804) 225-3769
Stahl, Melissa	MAS	Program Support Technician - Sr.	<a href="mailto:Melissa.Stahl@dgs.virginia.gov">Melissa.Stahl@dgs.virginia.gov</a>	(804) 786-5648
Steen, Terry	TAS	Electrical Review Engineer	<a href="mailto:Terry.Steen@dgs.virginia.gov">Terry.Steen@dgs.virginia.gov</a>	(804) 371-0522
Thompson, Ronald	RLT	Architectural Reviewer	<a href="mailto:Ronald.Thompson@dgs.virginia.gov">Ronald.Thompson@dgs.virginia.gov</a>	(804) 371-7541
West, Heather	HCW	Program Support Technician - Sr.	<a href="mailto:Heather.West@dgs.virginia.gov">Heather.West@dgs.virginia.gov</a>	(804) 786-3581
Whitehead, Sandra	SRW	Architectural Reviewer	<a href="mailto:Sandra.Whitehead@dgs.virginia.gov">Sandra.Whitehead@dgs.virginia.gov</a>	(804) 371-4323
Whitfield, John	JMW	Fire Safety Review Engineer	<a href="mailto:John.Whitfield@dgs.virginia.gov">John.Whitfield@dgs.virginia.gov</a>	(804) 371-7552